

Small

Image

A circular stamp from the Office of Intellectual Property (OIP). The text "OIP" is at the top, "JC139" is at the top right, "APR 02 2004" is in the center, and "PATENT &amp; TRADEMARK OFFICE" is at the bottom. The word "In" is partially visible at the bottom right.

In re Application of:

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## REQUEST TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT

Applicants have received a Notice of Abandonment dated March 15, 2004

indicating that the above application became abandoned because no response to the September 24, 2003 Office Action has been received by the Patent Office. However, a response was timely filed as set forth below and therefore, Applicants request that the Notice Of Abandonment be withdrawn and the application be returned to pending status.

Applicants respectfully submit that a response to the September 23, 2003 Office Action was timely filed, on October 20, 2003. In this regard, Applicants' representative filed a Response To Restriction Requirement (copy attached as Exhibit A).

Also enclosed please find a copy of a return receipt postcard bearing the official Patent and Trademark Office date stamp confirming receipt on October 20, 2003.

In view of the foregoing, Applicants request that the Notice of Abandonment be withdrawn and the application be returned to pending status.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

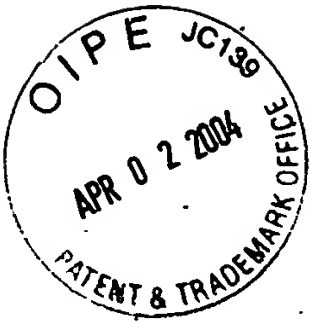
A handwritten signature in black ink, appearing to read "Michael K. DeFuria", written over a horizontal line.

Attorney for Applicants

Registration No. 32622

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CA\_MAIN 79062v1



Commissioner for Patents  
Washington, D.C. 20231

Date 10 20 03  
00862 022312  
Atty. Docket

Application No. 0919135109

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action \_\_\_\_\_
- ☐ Check for \$ \_\_\_\_\_ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- ☐ Notice of Appeal and Check for \$ \_\_\_\_\_
- ☐ Information Disclosure Statement, PTO-1449 and \_\_\_\_\_ documents
- ☐ Claim for priority and certified copies of \_\_\_\_\_ applications
- ☐ Issue fee transmittal and Check for \$ \_\_\_\_\_
- ☒ Other (specify) Resp. Rest. Requirement

by placing your receiving date stamp hereon and mailing or returning to deliverer.

Atty. DEJ/KM2

Due Date 10 24 03  
Mo. Day Yr.

37 CFR 1.8 ☐  
37 CFR 1.10 ☐  
By Hand ☒

